

# United States District Court

WESTERN DISTRICT OF WASHINGTON

JOHN EDWARD ROACH,

v.

JUDGMENT IN A CIVIL CASE

CASE NUMBER: C09-5155 RBL

ELDON VAIL.

\_\_\_\_ **Jury Verdict.** This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.

  X   **Decision by Court.** This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

THE COURT HAS ORDERED THAT

- (1) The Court adopts the Report and Recommendation;
- (2) This action is **DISMISSED** as it is procedurally barred; and
- (3) Petitioner is not entitled to a certificate of appealability.

\_\_\_\_\_  
June 14, 2010

Date

\_\_\_\_\_  
BRUCE RIFKIN

Clerk

\_\_\_\_\_  
*s/ Mary Trent*

Deputy Clerk